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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/986,499	11/09/2001	Steven R. Meizlish	MAEI/06	5584

26875 7590 07/21/2003

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CINCINNATI, OH 45202

EXAMINER
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SLACK, NAOKO N

ART UNIT	PAPER NUMBER
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3635

DATE MAILED: 07/21/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/986,499

Applicant(s)

MEIZLISH, STEVEN R.

Examiner

Naoko Slack

Art Unit

3635

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 May 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,5-13 and 16-24 is/are rejected.
- 7) ☒ Claim(s) 3,4,14 and 15 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Response to Amendment***

In response to Applicant's Amendment received May 8, 2003, claims 1-24 have been reconsidered.

While the interview held on March 18, 2003 concluded that prior art to Young and Desir Sr. do not show double-sided adhesive foam tape, USPTO Draftsman Ngan Tang has confirmed that Desir Sr. does in fact illustrate a double-sided adhesive foam tape (55, Figure 2), the dotted pattern on element 55 indicating a foam material, the double-sided adhesive disclosed in column 3, lines 14-15. Therefore, in light of this information, claims 1, 2, 5-13, 16-24 remain rejected over the prior art used in the previous office action.

Regarding the other point made at interview, that Young does not show a third wall extending from the second end of the back wall, as stated in claims 3, 4, 14, and 15, these claims are objected to as being dependent upon a rejected claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 5-8, 11-13, 16-19, 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6,257,644 B1 to Young in view of US Patent 5,603,546 in view of Desir Sr.

*Claims 1, 2, 5-8, 11-13, 16-19, 22-24:*

Young discloses an extruded trim molding for a glass panel of an automobile, the trim (15, Figure 3) molding comprising a back wall (25, Figure 3), first and second opposing sidewalls (20 and 21, Figure 3) defining a channel with the back wall to receive the peripheral edge of a glass panel (12, Figure 3), adhesive (24, Figure 3) disposed on the back wall bonding the glass panel to the trim, and a third sidewall (drawn proximate to arrow 15, Figure 3) extending from a first end of the back wall in a direction substantially opposite the first and second side walls. Young also discloses that the back wall and sidewalls are formed of extruded polymeric material such as PVC, having a shore hardness of around 80-90 (column 2, lines 48-52).

Young fails to show the use of a double-sided adhesive foam tape for attaching the glass panel to the trim molding. Desir Sr. discloses a glass panel attached to a molding using a double-sided adhesive foam tape (55, Figure 2 and column 3, lines 14-15) with a tape liner (69, Figure 3) for the benefits of reduced expansion differentials when the trim molding is exposed to high temperatures (column 4, lines 3-5).

In view of Desir Sr., it would have been obvious for one of ordinary skill in the art at the time the invention was made to use a double-sided adhesive foam tape on Young's trim molding to eliminate the inconsistencies upon application of liquid adhesive beads and to reduce expansion differentials in high temperatures (column 4,

lines 2-5). Young is concerned with improving the adhesion between the molding and the window edge (column 1, lines 34-35).

Claims 9, 10, 20, 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6,257,644 B1 to Young in view of US Patent 5,603,546 in view of Desir Sr. as applied to claims 1 and 12 above, and further in view of US Patent 4,849,468 to Murachi et al.

While Desir Sr. fails to disclose the composition of the double-sided adhesive tape, Murachi et al. discloses improved adhesive compositions for adhesive tapes that are used with synthetic resins such as PVC in automobile trim moldings, the adhesive comprising chloroprene, EPDM, and SRB (column 19, line 21 and column 20, lines 20-28).

In view of Murachi et al., it would have been obvious to one of ordinary skill in the art to use an adhesive tape comprising chloroprene, EPDM, or SRB on Young's automotive trim molding for improved adhesive properties, as young is concerned with improving the adhesion between the molding and the window edge (column 1, lines 34-35).

***Allowable Subject Matter***

Claims 3, 4, 14, and 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Prior art fails to disclose or suggest a channel-shaped trim molding with a back wall having a first and second end, the second end illustrated as the end facing the body of the automobile (element 64, Figure 4), first and second endwalls, and an additional third sidewall extending from the second end of the molding's back wall.

***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naoko Slack whose telephone number is (703) 305-0315. The examiner can normally be reached on Mon-Fri (6:00 am-2:30pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl D. Friedman can be reached on (703) 308-0839. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9326 for regular communications and (703) 872-9327 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

A handwritten signature in black ink, appearing to be 'NS' with a stylized flourish.

NS

July 14, 2003